

FILED BY *JK* D.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE *05 SEP - 7 AM 11:01*  
WESTERN DIVISION

UNITED STATES OF AMERICA,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

Plaintiff,

VS.

CR. NO. 04-20469-B

LEVOND MABONE,

Defendant.

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ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY  
AND SETTING

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This cause came on for a report date on August 29, 2005. At that time counsel for the government requested a continuance of the September 6, 2005 trial date due to the defendant's fugitive status.

The Court granted the request and reset the trial date to November 7, 2005 with a report date of Monday, October 31, 2005, at 10:00 a.m., in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from September 16, 2005 through November 18, 2005 is excludable under 18 U.S.C. § 3161(h)(1)(A) and (B) because the defendant is either absent or unavailable and her presence cannot be determined or obtained by due diligence.

IT IS SO ORDERED this 7<sup>th</sup> day of September, 2005.

*J. Daniel Breen*  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



# Notice of Distribution

This notice confirms a copy of the document docketed as number 53 in case 2:04-CR-20469 was distributed by fax, mail, or direct printing on September 8, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT